

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

SPECTRUM WT,

Plaintiff,

v.

WALTER WENDLER,

Defendant.

Case No.: 2:23-cv-00048-Z

Hon. Matthew J. Kacsmarik

PLAINTIFF'S WITNESS LIST

Judge Matthew J. Kacsmarik	PLAINTIFF'S ATTORNEY: JT Morris	DEFENDANT'S ATTORNEY: David Bryant
TRIAL DATE(S):	COURT REPORTER:	COURTROOM DEPUTY:

	WITNESS NAME EMPLOYER TOPIC OF TESTIMONY	WILL CALL ("W") MAY CALL ("M") UNLIKELY TO CALL ("U")	EXPECTED TESTIMONY DURATION
1.	Walter Wendler West Texas A&M University Cancellation of Plaintiff's events and the reasons for their cancellation; absence of complaints (including Title IX complaints) concerning drag shows; Plaintiff's April 2026 event. Wendler was deposed. Wendler will offer testimony as a fact witness and record custodian.	W	2.0 hrs
2.	Christopher Thomas West Texas A&M University Cancellation of Plaintiff's proposed 2023 performance; West Texas A&M University's policies, procedures, practices, and customs concerning dual-enrollment students; West Texas A&M University's policies, procedures, practices, and customs concerning "sexualized" speech. Thomas was deposed. Thomas will offer testimony as a fact witness and record custodian.	W (by deposition designations)	N/A

	WITNESS NAME EMPLOYER TOPIC OF TESTIMONY	WILL CALL ("W") MAY CALL ("M") UNLIKELY TO CALL ("U")	EXPECTED TESTIMONY DURATION
3.	Shawn Fouts West Texas A&M University Plaintiff's proposed 2023 and 2024 performances; other uses and proposed uses of Legacy Hall; West Texas A&M University's policies, procedures, and customs concerning the reservation or use of Legacy Hall; West Texas A&M University's efforts to promote the availability of Legacy Hall for use, reservation, or rental by students, student organizations, faculty, or the public; West Texas A&M University's policies, rules, and practices for student expression and use of campus facilities; President Wendler's decisions to cancel events on campus he believes will include offensive expression. Fouts was deposed. Fouts will offer testimony as a fact witness and record custodian.	W (by deposition designations)	N/A
4.	Chip Chandler West Texas A&M University Plaintiff's 2023 performance. Chandler was deposed. Chandler will offer testimony as a fact witness.	W (by deposition designations)	N/A
5.	Todd Raspberry West Texas A&M University President Wendler's decision to prohibit drag performances; West Texas A&M University's mission and values. Raspberry was deposed. Raspberry will offer testimony as a fact witness.	U	N/A
6.	Barrett Bright N/A Plaintiff's 2023 and 2024 planned performances. Bright was deposed. Bright will offer testimony as a fact witness and record custodian. Bright resides in Wisconsin.	W (Plaintiff intends to call Mr. Bright in person, but subject to his availability, reserves the right to offer his testimony by deposition designations)	1.0 hours

	WITNESS NAME EMPLOYER TOPIC OF TESTIMONY	WILL CALL ("W") MAY CALL ("M") UNLIKELY TO CALL ("U")	EXPECTED TESTIMONY DURATION
7.	Johnathan-Jayce Fanelli-Burnett N/A Plaintiff's planned April 2026 performance. Fanelli-Burnett was deposed as Plaintiff Spectrum WT's corporate representative. Fanelli-Burnett will offer testimony as a fact witness and record custodian.	W	1.0 hours
8.	Marcus Stovall N/A Plaintiff's 2023 and 2024 planned performances. Stovall was deposed. Stovall will offer testimony as a fact witness and record custodian. Stovall resides in Albuquerque, New Mexico.	M (by deposition designations, but reserve the right to offer in person testimony if Defendant secures this witness's live testimony)	N/A

Dated: January 7, 2026

Respectfully submitted,

/s/ JT Morris

JT MORRIS

TX Bar No. 24094444

CONOR T. FITZPATRICK*

MI BAR NO. P78981

FOUNDATION FOR INDIVIDUAL RIGHTS
AND EXPRESSION

700 Pennsylvania Ave., SE; Ste. 340

Washington, DC 20003

Tel: (215) 717-3473

Fax: (267) 573-3073

jt.morris@fire.org

conor.fitzpatrick@fire.org

ADAM B. STEINBAUGH*

PA Bar No. 326475

JEFFREY D. ZEMAN*

Pa. Bar No. 328570

Samuel Rudovsky*

Pa. Bar No. 335724

FOUNDATION FOR INDIVIDUAL RIGHTS
AND EXPRESSION

510 Walnut St.; Ste. 1250

Philadelphia, PA 19106

Tel: (215) 717-3473

Fax: (267) 573-3073

adam@fire.org

jeff.zeman@fire.org

sam.rudovsky@fire.org

* Admitted *Pro Hac Vice*

Attorneys for Plaintiff Spectrum WT

CERTIFICATE OF SERVICE

I hereby certify that on January 7, 2026, a true and correct copy of the foregoing document was transmitted via the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record.

/s/ JT Morris
JT Morris
FOUNDATION FOR INDIVIDUAL
RIGHTS AND EXPRESSION